

South Carolina Office of the Governor

Division of Foster Care Review

Annual Report and Recommendations 2003-2004



Citizens Making a Difference..... One Child at a Time

This report was prepared by the SC FCRB. For additional information, visit our website: www.govoepp.state.sc.us/children/foster.htm, or
contact us at:
Governor's Office,
Division of Foster Care Review,
1205 Pendleton Street, Room 436,
Columbia, SC 29201

Mission Statement

The Division of Foster Care Review....

- ★ Provides an external system of accountability and advocacy for children and families involved with the foster care system
- ★ Utilizes panels of community volunteers to promote safe, permanent homes for children in foster care in a timely manner
- ★ Increases public awareness regarding the impact of abuse and neglect

From the Director...

I am pleased to present the 2003 - 2004 Annual Report for the South Carolina's Children's Foster Care Review Board. The year 2004 marks the 30th Anniversary of citizen review programs in South Carolina, where the whole concept began. The findings and activities noted in the report again emphasize the importance of the original, community based program that has never strayed from the importance of advocating for permanent homes for children in foster care. Without the commitment and persistence shown by the hundreds of community advocates who have served on local review boards over the past 30 years, hundreds of children would not have found security, love and stability in a forever family.

The information contained in this report outlines some of the challenges still facing the Review Board and our other public and private partners around the State. Working together, we will continue to make a difference for our children.

*Denise T. Barker
Division Director*

The Foster Care Review Board renders invaluable service to children in this State by having leading citizens in the local community review the work we do in protecting children. I always want to know what concerns our local citizen reviewers have about a particular case, and their report is one of the first things I look for when I open the file.

*The Honorable R. Wright Turbeville
Family Court, Third Judicial Circuit*

From the Chair..

The State Board of Directors for the Children's Foster Care Review Board is pleased to present the recommendations contained in this year's Annual Report. As State Board chairperson for the past year, I have had the good fortune to travel around South Carolina visiting with a variety of local review boards. In each location, I have met volunteer board members who are to be commended for their commitment to excellence for the children they review. They prove to me time and time again that the work of the Foster Care Review Board is vital to the child welfare system.

This report provides you with a composite summary of the work being done for children in South Carolina, as well as the State Board's recommendations for system improvement. If you are interested in becoming a community member who can make a difference, we urge you to join our efforts to make South Carolina a better place for our foster children.

*Vernon McCurry, Chairperson
State Board of Directors*

I feel the Foster Care Review Boards in our State do an EXCELLENT job. The reports are always informative and really do assist me determining what is in the best interest of any child in foster care. Each and every Board member should take pride in the fact that they are helping our most vulnerable citizens. Without the help of Foster Care Review Boards, these children may be lost forever. I urge you to keep up your dedicated efforts on behalf of these children. They need you.

*The Honorable Paul W. Garfinkel
Family Court, Ninth Judicial Circuit*

State Board of Directors

Vernon McCurry, Chairperson, Member At-Large
Burnet Mendelsohn, 1st Congressional District
Louise McFarland, 2nd Congressional District
Elizabeth Weaver, 3rd Congressional District
Vacancy, 4th Congressional District
Martha Brock, 5th Congressional District
Carrie Sinkler-Parker, 6th Congressional District

Frequently Asked Questions

What is the Foster Care Review Board?

South Carolina (SC) was the first State to enact legislation requiring citizens from each community to review all the cases of children who remain in foster care for more than four months. The purpose of these reviews is to ensure that permanent plans are being made for children so that they do not grow up in foster care. Local review boards identify gaps in services and promote community awareness about these issues. The Foster Care Review Board (FCRB) also operates a quality assurance review program for children who are placed in therapeutic placements funded by Medicaid.

How does the review process work?

Three weeks prior to a child's case review the county Department of Social Services (DSS) sends letters of invitation to all parties involved with a child's case. Two weeks prior to the review the Review Board Coordinator, who serves as staff to the local review board, receives a packet of material relevant to the case and prepares a summary for board members. On the day of the review, the review board hears from the caseworker and all interested parties and reviews important documents. The local review board then makes a recommendation related to the child's permanent plan and addresses any case-specific concerns.

What type recommendations do Review Boards make?

Whenever possible, review boards recommend that children return to their parents. If this is not possible within a reasonable amount of time, local review boards recommend that maximum efforts be made toward adoption. Any other recommendations for a child will not be considered unless these two legally binding permanent plans have been thoroughly assessed and determined not to be in the child's best interest.

Who are interested parties?

The interested parties required to be invited to each review are the birth, legal or adoptive parents, foster parents, children ten years of age and older, all guardians ad Litem; all treatment providers and any other relevant parties.

What happens after a case review?

The local review board's written recommendation is sent to the DSS and the Family Court. Statistical data is generated to evaluate the status of foster care in each county and statewide. Local review board members and staff then use this information to advocate on behalf of any child in need of a permanent home. The FCRB State Board of Directors uses this information to make recommendations for improvement to the child welfare system. The recommendations contained in the Annual Report are sent to the Governor, the General Assembly, the DSS and the Family Court.

How long is a child's case reviewed?

A child's case is first reviewed after four consecutive months in foster care. Subsequent to the first review, a child's case is reviewed every six months thereafter, as long as the child is in the custody of the DSS and in an out-of-home placement. Review of a child's case ends when the child leaves foster care or reaches the age of eighteen.

How many Local Review Boards are there in SC?

Each of SC's sixteen judicial circuits must have at least one local review board. Most judicial circuits have two or more local review boards due to the large number of children in foster care in each county within the circuit. Currently there are 38 local review boards. Each local review board is made up of five volunteers from the community. Local review boards meet monthly to review the cases of children in foster care.

What is the Medicaid Review Program?

The SC Department of Health and Human Services (DHHS) has contracted with the FCRB since 1992, to monitor the appropriateness of placement and communication among providers, for children in therapeutic placements funded by Medicaid. Therapeutic placements include inpatient psychiatric hospitals, residential treatment facilities, high management group homes, moderate management group homes, crisis stabilization programs, temporary de-escalation programs and therapeutic foster homes.

What is required to be a Local Review Board member?

An individual must be at least 18 and reside in the judicial circuit in which they serve. Review Board members must be able to attend several days of training each year, attend monthly Review Board meetings and participate in periodic community-based meetings.

How are Review Board members appointed to Local Boards?

The Governor appoints members to local review boards, upon the recommendation of local legislative delegations. Review board members serve four year terms.

What is the operational structure of the FCRB?

A staff of 19 serves the 38 local review boards across the State. Review Board staff includes a Division Director, General Counsel, Staff Attorney, Program Director, Business Manager, two Program Supervisors, a Medicaid Review Specialist, 9 Review Board Coordinators and 2 Administrative Specialists. A seven member State Board comprised of current or former local review board members develops policy and provides oversight on the operation of the FCRB.

National 2003 Child and Family Services Review

The Children's Bureau of the United States DHHS recently completed a three year project of assessing child welfare programs throughout the country. The report on the findings from the Child and Family Services Reviews (CFSR) is the first to include data from all 50 states regarding conformity with Federal standards for child welfare.

The CFSRs are a comprehensive monitoring process that incorporates three phases: (1) self-assessment by each state; (2) an onsite assessment by the DHHS reviewers; and, (3) development of a Program Improvement Plan by each state to address areas needing improvement.

The CFSRs set Outcome goals for the Safety, Permanence and Well-Being of children and families, as well as for Systemic Factors related to Child Welfare operations. Of the seven Outcomes measured, no states achieved substantial conformity on the Well-Being Outcome that "families have an enhanced capacity to provide for children's needs", or on the Permanency Outcome that "children have permanency and stability in their living situations". SC's lowest scores were in these two areas. The only Outcome in which SC

received a passing score was that "children are first and foremost protected from abuse and neglect".

Like most states, SC fared better in meeting the DHHS criteria for Systemic Factors than for Outcomes. While SC received high marks for having six-month case reviews, improvement was needed in the following areas: (1) developing case plans jointly with parents; (2) holding 12 month permanency planning hearings; (3) seeking termination of parental rights; and, (4) notifying caregivers of reviews and hearings and giving them an opportunity to be heard.

Like other states, SC worked with stakeholders to develop a Program Improvement Plan (PIP). When the implementation of the PIP is complete, each state will participate in a second round of reviews to measure progress.

Because the FCRB's mission of permanency and stability for children in foster care is clearly in line with the goals of the CFSR, the following data provided in this report focuses on several target areas outlined in the PIP. This report also addresses the role of citizens in this process, and provides Recommendations for strengthening SC's child welfare system.

"So, this is how it is in foster care, you always have to move from foster home to foster home and you don't have any say in this and you always have to adapt to new people and new kids and new schools. Sometimes you just feel like you are going crazy inside. And another thing, in foster care you grow up not knowing that you can really be somebody. When I was in foster care, it didn't seem like I had any choices or any future. All kids deserve families. They need a family to have someone, a father and a mother. They need a family so they can believe in themselves and grow up to be somebody. This is a big deal that people don't realize. I wish everyone could understand."

Former foster youth

2002-2003 Comparative Data Children Reviewed in South Carolina

The number of children entering foster care increased in 2003

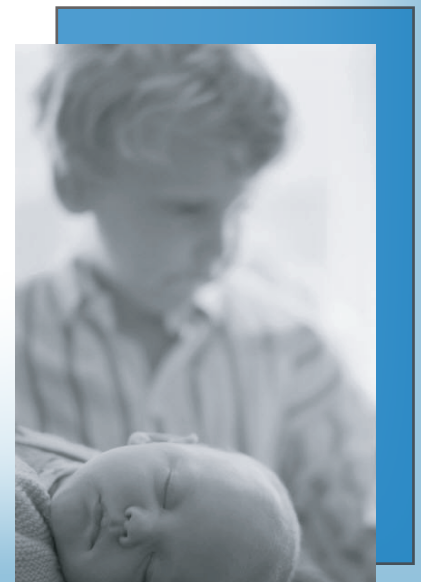
The number of children re-entering foster care increased in 2003

The number of children in Medicaid funded placements increased in 2003

The number of children leaving foster care decreased in 2003

The number of children leaving foster care through adoption decreased in 2003

The number of children leaving foster care due to emancipation increased in 2003

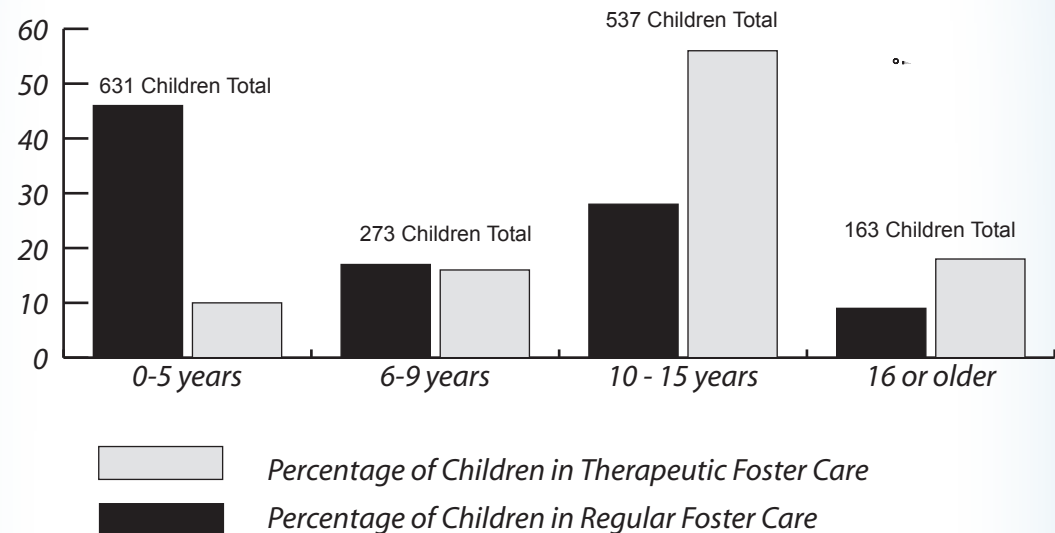


Children Entering Foster Care

There were 1604 children who entered foster care during 2003, and were reviewed at least once by local review boards. Of these, 81% were in regular foster care placement at the time of the first review, and 19% were in therapeutic placements funded by Medicaid. Compared to 2002 data, approximately 200 more children entered foster care in 2003, with an increased number being placed in Medicaid placements.

Reasons for placement

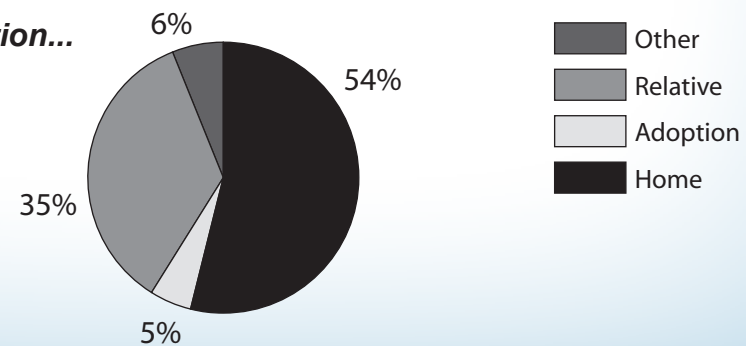
Neglect was the most frequent reason children entered foster care in 2003, accounting for 59% of all entries. Abuse was the next most frequent reason cited, with 33% of children entering due to some type of abuse. Voluntary placement, abandonment, juvenile delinquency and dependency constituted the placing reasons for the remaining 8% of children entering care. Children who entered foster care in 2003 were almost evenly divided as to race and sex. Age was the demographic with the most noticeable distinctions. The majority of the children entering regular foster care were nine or younger, while three-fourths of the children entering therapeutic foster care were ten or older.



* Children Re-Entering Foster Care

In 2003, 440 children, who had been in foster care before and were placed with a parent, relative, non-relative or adoptive family, re-entered foster care due to abuse and/or neglect. **This 27% recidivism rate is a sharp increase from 18% in 2002.** Of the children that re-entered foster care in 2003, 89% returned to foster care from the custody of a birth parent or relative, while only 5% returned to foster care from an adoptive home. Of the children that re-entered foster care in 2003, half were nine years old or younger. The re-entry rates were also relatively equal by race and sex.

By Previous Location...



* Denotes an area addressed in the CFSR and the PIP

Children Leaving Foster Care

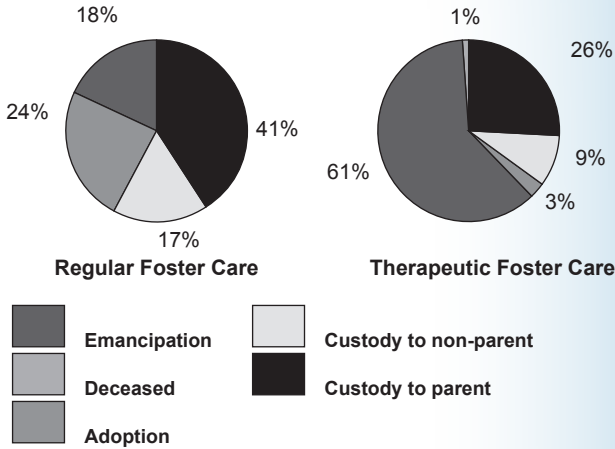
During 2003, 1448 children were reviewed and subsequently left foster care. Of these, 81% left foster care from regular foster care placements, while 19% left from therapeutic placements funded by Medicaid. Approximately 200 fewer children left foster care in 2003 than in 2002, with an increased percentage leaving from therapeutic placements.

Demographics

Of all children that left foster care in 2003, 58% were ten years of age or older. The children that left care were evenly divided by sex, and slightly more African-Americans and other minorities left than Caucasians. Of the children that left care through adoption, only 22% were 10 years of age or older. Seventy-five percent (75%) of the children that left care from Medicaid funded therapeutic placements were 16 years of age or older, with only 7% being 9 years old or younger. Slightly more boys left foster care from Medicaid placements than girls, with more than half being African-Americans and other minorities.

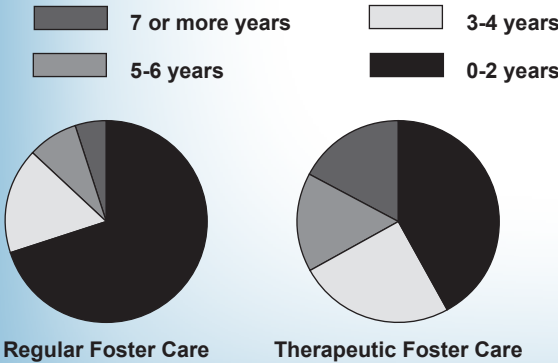
* Reasons left care

Thirty-eight percent (38%) of all children who left foster care in 2003 returned home, and only 20% were adopted. This is a decrease for both closing reasons, compared to 2002, when 41% returned home and 23% were adopted. Of all the children that left care in 2003, 26% were emancipated. This is a marked increase from 20%, in 2002. **Of the children that left foster care in 2003 from Medicaid placements, 61% were emancipated, compared to 49% in 2002.** Twenty-six percent (26%) of the children that left care from a Medicaid placement returned home, a noticeable decrease from the 36% that returned home in 2002. In 2003, only 3% of the children that left foster care from a Medicaid placement were adopted. This is fewer than the 6% that were adopted in 2002.



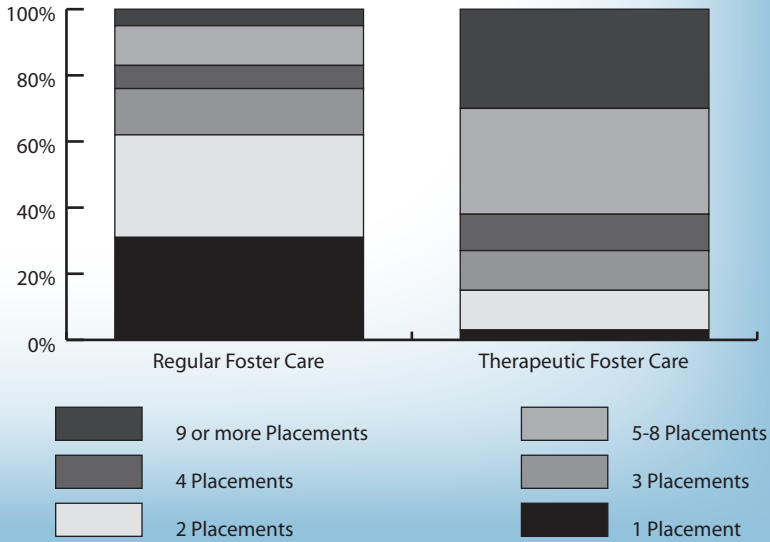
* Length of time in foster care

Sixty-four percent (64%) of all children that left care spent less than two years in foster care, with only 16% remaining for more than five years. While the decrease in the time spent in care is encouraging, the high recidivism rate is a sobering statistic that warrants consideration. Children in regular placements spent less time in foster care than those in therapeutic placements. Of the children that left care from therapeutic placements, 33% spent more than five years in foster care.



* Number of placements

Children that left from regular foster care experienced fewer placements than those who left from therapeutic foster care. Sixty-two percent (62%) of the children that left from regular foster care experienced one or two placements, while only 15% of those that left from therapeutic foster care had one or two placements. Conversely, of the children that left from regular foster care only 15% experienced 5 or more placements, compared to those that left from therapeutic foster care where 62% experienced 5 or more placements.



* Denotes an area addressed in the CFSR and the PIP

Children Remaining Active in Foster Care

A total of 2,860 children entered foster care prior to the beginning of 2003, and remained active in the foster care system as of January 1, 2004. Sixty-four percent (64%) of these children were in regular foster care, and 36% were in Medicaid placements.

Demographics

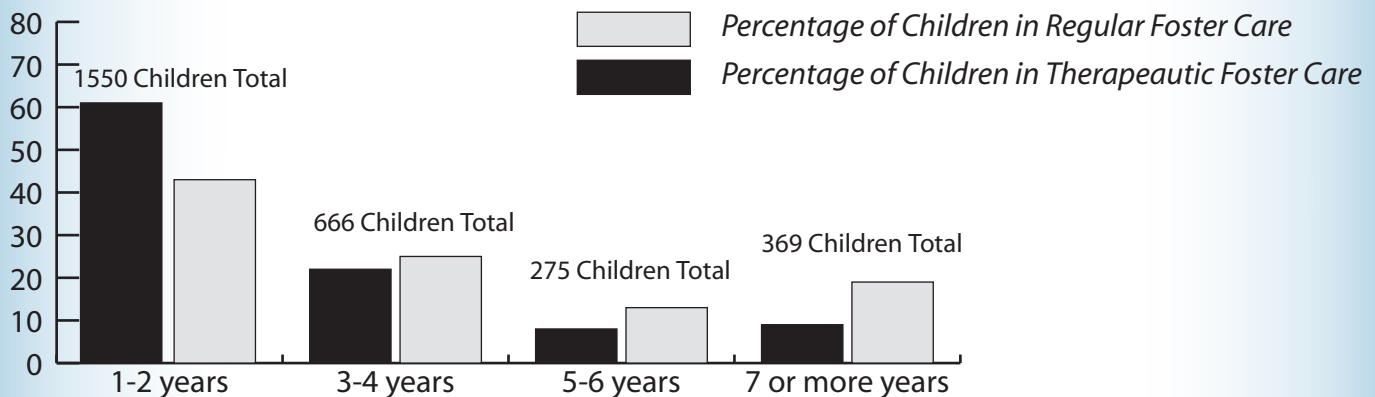
Of the children remaining active in foster care, 38% were Caucasian and 62% were African-American or other minorities. Fifty-two (52%) were boys and 48% were girls. A high percentage of older children in this group were placed in therapeutic foster care. Of the children in therapeutic foster care, 87% were ten years of age or older, compared to 49% of children in regular foster care.

* Number of placements

The percentages for the number of placements for children remaining active in foster care are similar to the percentages for the children that left foster care in 2003. Sixty-three (63%) of the children remaining active in the therapeutic population had 5 or more foster care placements, compared to only 18% of children remaining active in regular foster care.

* Length of time in foster care

Approximately one half of the children who remained in foster care as of January 1, 2004, had been active in the system for two years or less. One-fourth had been in care for 3 to 4 years, and the remaining one-fourth had been in care five years or more. As with the children who left foster care in 2003, active children in the regular foster care population spend less time in the system than those that remain active in therapeutic foster care.



Summary of Reviews held in 2003

A total of 4,768 children were reviewed by local review boards in 2003. Reviews are held every six months after the first review, which is held when a child has been in care for at least four consecutive months. A total of 8,279 reviews were held in 2003.

* Of these 8,279 reviews, 62% had at least one Area of Concern. An Area of Concern is defined as a violation of law or policy. These concerns are tracked in order to identify systemic deficiencies that are barriers to permanence for children in foster care. A total of 9,305 Areas of Concern were cited in 2003, almost one thousand more than in 2002.

* **The lack of timely Permanency Planning, Merits and Probable Cause hearings in the Family Court when combined constituted 25% of all Areas of Concern in 2003.** Fourteen percent (14%) of the Areas of Concern were noted because progress reports from providers were not made available, and 10% were related to a lack of progress toward the permanent plan.

2003 Review Board Members

Citizens volunteering their time... advocating for permanent homes ... working to strengthen SC's foster care system

Did you know that in 2003...

166 individuals served as volunteers in SC

Review Board volunteers spent over 10,000 hours reviewing cases of children in foster care

Local review boards held 427 meetings

An average of 19 children were reviewed at each Review Board meeting

76% of Review Board volunteers were female, and 24% were male

60% of Review Board members were Caucasian, and 40% were African-American or other minorities

Review Board members came to their volunteer work from a wide variety of professional backgrounds from accountants to speech therapists.

RECOMMENDATIONS

A collaborative effort will be required to successfully implement the Program Improvement Plan (PIP) required by the Child and Family Services Review (CFSR) and to make positive changes in South Carolina's child welfare system. As a partner in promoting safe, stable and permanent homes for children in foster care, the State Board of Directors for the Foster Care Review Board makes the following recommendations:

- In accordance with the Key Principles for Permanency Planning adopted by the National Council of Juvenile and Family Court Judges in 1999, the State Board recommends that each local review board meet at least annually with their Chief Administrative Judge to discuss court-related barriers to permanence for children in foster care. Overdue hearings are frequently a barrier to children receiving safe and permanent homes in a timely manner. As one-fourth of all Areas of Concern are cited due to hearings not being held timely, local review boards must advocate for hearings to be held within the statutory time frames.
- Each local review board should be meeting at least quarterly with County Directors, Adoption Administrators and Managed Treatment Services Directors, as well as a representative from the county Guardian ad Litem Program and the local Foster Parent Association to discuss the status of the children in foster care. Local statistics related to recidivism, appropriateness of placements, Areas of Concerns impacting permanence, and any other barriers to permanence should be routinely addressed in these meetings. Collaboration among stakeholders, an important aspect of the CFSR, will be a critical factor in the success of SC's PIP.
- The State Board will create two Ad Hoc committees to: (1) develop and enhance public relation efforts and the overall visibility and impact made by the SC Foster Care Review Board; and (2) increase national efforts related to citizen foster care review and national legislation related to children in foster care. The committee will relate the impact of citizen review in states that have a review structure to the findings made by the U.S. Department of Health and Human Services CFSR.
- Local review boards will present the 2003-2004 Review Board Annual Report to their local legislative delegations. The impact of abuse, neglect, and failure to provide children with timely permanent homes should be emphasized with legislative delegations in order to promote better understanding around the issues facing the child welfare system in SC.
- Local review boards will support and sponsor activities that promote timely permanence and benefit children in foster care. In an effort to increase timely adoptions as outlined in the PIP, the State Foster Care Review Board will support AdoptUSKids, a national adoptive recruitment campaign for teens and sibling groups. Local review boards will also support the Annie E. Casey Foundation's Family to Family Initiative, which stresses the importance of maintaining children in foster care in their own communities. Through community-based collaboration and team decision-making, this initiative promotes improvement in the stability of foster care placements, another area identified in SC's PIP as needing improvement.